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EZRA SUTTON P A
PLAZA 9
900 ROUTE 9
WOODBIDGE NJ 07095

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In re Patent No. 6,015,557
Issue Date: January 18, 2000
Application No. 09/275,070
Filed: March 13, 1999
Attorney Docket No. TOBINICK-3.0

OFFICE OF PETITIONS

ON PETITION

This is a decision on the renewed petition under 37 CFR 1.378(c), filed May 23, 2008, to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.


The petition is **GRANTED**.

This patent expired on January 19, 2008 for failure to pay the seven and one-half year maintenance fee. Since this petition was submitted within twenty-four months after the six-month grace period provided in 37 CFR 1.362(e), the petition was timely filed under the provisions of 37 CFR 1.378(c).

The maintenance fee is hereby accepted and the above-identified patent is reinstated as of the mail date of this decision.

Petitioner further requests, under 37 CFR 1.26(a), refund of: (1) the \$1640 surcharge fee as the maintenance fee was timely submitted less \$30 in fee increases, i.e., petitioner submitted \$1215 instead of the \$1245 due; and (2) the \$400 request for reconsideration fee as petitioner filed all the necessary documents with the original petition. As petitioner failed to timely submit the maintenance fee and surcharge-late payment within six months the \$1640 surcharge was due. Additionally, petitioner has not submitted any evidence showing that all the original documents were submitted with the original petition. Therefore, the \$400 request for reconsideration fee was due. As the fees were not paid in excess or by mistake the fees will not be refunded.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-7099.


David Buccì
Petitions Examiner
Office of Petitions